



## Richland County Council

### SPECIAL CALLED MEETING July 25, 2017 Immediately Following A&F Committee Council Chambers

COUNCIL MEMBERS PRESENT: Joyce Dickerson, Chair; Bill Malinowski, Vice Chair; Calvin "Chip" Jackson; Gwendolyn Davis-Kennedy; Paul Livingston; Jim Manning; Yvonne McBride; Dalhi Myers; Greg Pearce; and Seth Rose

OTHERS PRESENT: Gerald Seals, Brandon Madden, Jamelle Ellis, Tracy Hegler, Beverly Harris, Sandra Yudice, Tony Edwards, Michelle Onley, Jeff Ruble, Roger Sears, James Hayes Valeria Jackson, Elizabeth McLean, Kevin Bronson, Lillian McBride, and Kimberly Willams-Roberts

**CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:42 PM.

#### **APPROVAL OF MINUTES**

- a. Special Called Meeting: July 11, 2017 – Ms. Myers moved, seconded by Ms. Kennedy, to approve the minutes as distributed. The vote in favor was unanimous.

**ADOPTION OF AGENDA** – Mr. Pearce moved, seconded by Mr. C. Jackson, to request unanimous consent to add the following item to the agenda: "Sprinkler Head Replacements Phase 1-3 at Alvin S. Glenn Detention Center", which was taken up in the A&F Committee.

**In favor:** Pearce, Rose, C. Jackson, Livingston, Kennedy, Myers, Manning, McBride  
**Opposed:** Malinowski, Dickerson

Ms. McLean requested to add the following item under the Report of the County Attorney for Executive Session Items: "Property Sale Purchase for the Library at 1101 Washington Street". The potential exigent circumstance is that it is time sensitive and Council does not meet in August.

Mr. Livingston moved, seconded by Mr. Malinowski, to add the "Property Sale Purchase for the Library at 1101 Washington Street" to the agenda.

Mr. Malinowski inquired as to why this is time sensitive.

Ms. McLean stated it is a sale of property, with a potential contract, the library has been working on for approximately 5 years that is very important to them.

Mr. Manning inquired if the exigent circumstances is because there is a contract or because of the whole nature of the item.

Ms. McLean stated it is because there is a contract and Council does not meet for another month.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous of adding the “Property Sale Purchase for the Library at 1101 Washington Street” to the agenda.

Mr. Manning moved, seconded by Mr. Livingston, to add the following item to the agenda due to exigent circumstances: “Sprinkler Head Replacements Phase 1-3 at Alvin S. Glenn Detention Center”.

Ms. Dickerson inquired if this item was not just taken up and defeated.

Mr. Pearce stated he did not include the exigent circumstances to his motion.

Mr. Manning stated Mr. Pearce’s motion was for unanimous consent for an item and did not include the exigent circumstances.

Ms. Dickerson stated Mr. Pearce’s motion was in the A&F Committee and not at the Council meeting.

Mr. Pearce stated for clarification the item was taken up in the A&F Committee and. However, it was not an item that was placed on the Special Called Meeting agenda. He was under the impression to add the item to the agenda we needed unanimous consent.

Mr. Malinowski stated he does not think it is not exigent circumstances for the fact that Mr. Bronson contacted the Detention Center’s Interim Director and he stated he felt the sprinkler system is functioning correctly. The only reason they want to bring this forward is to update the system.

Ms. Dickerson inquired if this item fits the exigent circumstances.

Ms. McLean stated she cannot make that determination for Council, but basically an exigent circumstance is an emergency and Council needs to avoid its normal rules and the FOIA rules to add something to the agenda because it is so important that it has to be dealt with now.

**In favor:** Pearce, Kennedy, Manning, McBride

**Opposed:** Rose, C. Jackson, Malinowski, Dickerson, Livingston, Myers

The motion failed to add the “Sprinkler Head Replacements Phase 1-3 at Alvin S. Glenn Detention Center” item to the agenda due to exigent circumstances.

Mr. Pearce moved, seconded by Mr. Livingston, to adopt the agenda as amended.

Mr. Malinowski stated there were a few corrections that needed to be made to the agenda: (1) Item # 9.a. – clarification on the re-zoning classification; and (2) Item # 9.c. – clarification on the TMS#.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, McBride

**Opposed:** Manning

The vote was in favor of adopting the agenda as amended.

### **PRESENTATION OF RESOLUTION**

- a. Resolution Honoring Larry Livingston for 40 years of dedicated service with Transdev for the CMRTA/COMET for the citizens of Columbia and Richland County – Mr. Livingston presented the resolution on behalf of Council to Mr. Larry Livingston.

### **REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS**

Ms. McLean stated the following items are potential Executive Session items:

- a. Southeast Richland Neighborhood Project: Right-of-Way Acquisition
- b. N. Main Street Widening Project: Supplemental Intergovernmental Agreement
- c. Contractual Matter involving a potential property purchase near I-20
- d. Sale of Summit Parkway Library
- e. Contractual Matter with the City of Columbia

### **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Decker Center Dedication – Mr. Seals stated the Decker Center Dedication will be held September 29<sup>th</sup>. Additional information will be provided in the Administrator's Report.

Ms. Myers inquired if the dedication encompasses the recommendations approved by Council.

Mr. Seals responded in the affirmative.

- b. Priority Setting Session – Mr. Seals stated planning discussions regarding the priority setting session are ongoing with the Chair.

### **REPORT OF THE CLERK OF COUNCIL**

- a. REMINDER: Institute of Government and SC Association of Counties Annual Conference: July 30-August 2 – Ms. Onley reminded Council of the upcoming Institute of Government and SC Association of Counties Annual Conference.
- b. September Meeting Schedule:
  1. September 12 – Special Called Meeting
  2. September 19 – Regular Session
  3. September 26 – Development & Services, Administration & Finance and Zoning Public Hearing

Ms. Onley reminded Council of September's meeting schedule.

### **REPORT OF THE CHAIR**

- a. Proposed Joint County-City Council Meeting; September 12, 2017 – Ms. Dickerson stated she has been speaking with the Mayor in regards to holding a joint meeting in September at the Convention Center.

Ms. McBride moved, seconded by Ms. Myers, to hold a joint County/City Council meeting in September.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, McBride

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Kennedy, to reconsider this item. The motion failed.

#### **APPROVAL OF CONSENT ITEMS**

- a. 17-011MA, Bill Hampton, RU to OI (0.53 Acres), 1654 Dutch Fork Road, R02412-01-07 [SECOND READING]
- b. 17-014MA, Carolyn B. Adkins & Joyce Gantt, RM-HD to GC (1 Acre), 1564 Daulton Drive, R17012-02-09 [SECOND READING]
- c. 17-015MA, Jacob Crowder, RU to GC (1.2 Acres), 10612 Two Notch Road, R25808-03-04 [SECOND READING]

Mr. Malinowski moved, seconded by Ms. Myers, to approve the consent items.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Myers, McBride

The vote in favor was unanimous.

#### **ORDINANCES – THIRD READING**

- a. An Ordinance Authorizing the conveyance of certain real property by the County to Project Aegis (the “Company”) in connection with a Project (the “Project”); the execution and delivery of one or more grant agreements relating to the Project; the provision by the County of certain infrastructure in support of the Project; and other matters relating thereto – Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous.

#### **ORDINANCES – FIRST READING**

- a. An Ordinance Amending the Fiscal Year 2017-2018 General Fund Annual Budget to appropriate Four Hundred Thirty Three Thousand Nine Hundred Eighty Eight Dollars (\$433,988) to increase funding to the Board of Voter Registration & Elections Department – Ms. Myers moved, seconded by Ms. Kennedy, to approve this item.

Mr. Livingston inquired in this is a First Reading item.

Ms. McLean stated this item was deferred.

Mr. Malinowski stated he thought when this item was before Council previously it showed part of this dollar figure was a double payment and was going to be subtracted from the amount. He requested staff to review this prior to 2<sup>nd</sup> Reading.

Mr. Manning stated he gets so frustrated and breaks his heart when Mr. Malinowski asks questions and the information is going to be provided at the next reading/meeting and then the information is not provided.

**In favor:** Pearce, Rose, C. Jackson, Dickerson, Livingston, Kennedy, Myers, McBride

**Opposed:** Malinowski, Manning

The vote was in favor.

- b. An Ordinance Authorizing a deed to ----- for One Summit Parkway, which is the former Summit Parkway Library; also described as TMS # 23000-03-07 [BY TITLE ONLY] – Mr. Livingston moved, seconded by Ms. Myers, to approve this item.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, McBride

**Opposed:** Manning

The vote was in favor.

#### **REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE**

- a. Approval of Temporary Right-of-Way Agreement for Logging Truck Access on Mill Creek Club Road – Mr. Rose stated the committee recommended approval of this item.

Mr. Malinowski inquired if staff's final recommendation includes the recommendations of Public Works and the Right-of-Way agreement.

Ms. Hegler stated staff's recommendation does include the recommendation of Public Works and the Right-of-Way agreement. For clarification, you may want to include the amount (\$1,000) recommended for use of the access road.

Mr. Malinowski wanted to clarify that Attachment A is the same as Exhibit A.

Ms. Hegler responded in the affirmative.

Mr. Malinowski inquired if the Conservation Commission was instrumental in creating this agreement since the property was purchased by them.

Ms. Hegler responded in the affirmative.

Mr. Malinowski stated he does not see anything about environmental damage and in the backup information it states the company has to clean up "oil cans". He feels the County should have a clause that any environmental clean-up will be done by the company, especially since this is Conservation Commission land.

Mr. Malinowski requested a friendly amendment to add a statement that the company is responsible for any environmental damage and/or clean-up.

Ms. Myers stated this is in her district and the contract will last approximately 3 weeks. The contract is just to get the trucks off private roads and through the County's property for about 10 days to cut the lumber. It would seem we could tell them to oil their trucks before they enter the property.

Mr. Malinowski stated the contract is in effect until December 30, 2017.

Ms. Myers stated that is in the event that it rains and they cannot get in.

Mr. Rose stated he does not feel comfortable speaking for the committee and accepting Mr. Malinowski's friendly amendment.

**In favor:** Pearce, Rose, C. Jackson, Dickerson, Livingston, Kennedy, Myers, McBride

**Opposed:** Malinowski, Manning

The vote was in favor.

- b. Landfill Storage Shed Project – Mr. Rose stated the committee recommended denial of this item.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous.

#### **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

- a. Approval of the 5 Year Consolidated Plan [FY17-21] and the FY17-18 Annual Action Plan for Community Development Federal Funds – Mr. Pearce stated the committee recommended approval of this item.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous.

#### **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. Southeast Richland Neighborhood Project: Right-of-Way – This item was taken in Executive Session.

#### **OTHER ITEMS**

- a. FY18 District 9 Hospitality Tax Allocations
- b. FY18 – District 1 Hospitality Tax Allocations
- c. FY18 – District 10 Hospitality Tax Allocations
- d. FY18 – District 5 Hospitality Tax Allocations

Mr. Manning moved, seconded by Mr. Malinowski, to approve Items a, b, c, and d.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous.

Mr. Livingston requested the Grants Department to ensure they meet the requirements for Hospitality Tax.

Mr. Pearce moved, seconded by Mr. Rose, to reconsider this item. The motion failed.

#### **EXECUTIVE SESSION**

- a. Southeast Richland Neighborhood Project: Right-of-Way Acquisition – Mr. Manning moved, seconded by Mr. Malinowski, to direct staff to proceed with the Right-of-Way acquisition as discussed in Executive Session.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous.

- b. N. Main Street Widening Project: Supplemental Intergovernmental Agreement – Mr. Manning moved, seconded by Mr. Malinowski, to approve the supplemental IGA for the North Main Street widening project as presented in Executive Session.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous.

- c. Contractual Matter involving a potential property purchase near I-20 – Mr. Livingston moved, seconded by Ms. Myers, to instruct the Administrator to move forward with an option, up to the Administrator's authority, on the property as discussed in Executive Session.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous.

Ms. Myers moved, seconded by Ms. McBride, to reconsider this item.

Ms. Dickerson stated if this is the piece of property she is thinking, she wants to reconsider that item.

Mr. Manning inquired as to the item.

Ms. McLean stated the item is "Contractual Matter involving a potential property purchase near I-20".

Ms. Dickerson stated it's the wording of this item that has her confused and she does not want to raise her hand for something that she feels is important. This is the purchase of the property near I-20.

Ms. McLean responded in the affirmative. She stated Ms. Dickerson asked for Item c., which is the large project, to be reconsidered.

Ms. Myers stated for clarification, as the maker of the motion, she wanted it to be clear that she did not move to reconsider Item c. She moved to reconsider Item d.

Mr. Malinowski stated for clarification that he wanted to be recorded as voting for this item.

Ms. Myers withdrew her motion for reconsideration.

- d. Sale of Summit Parkway Library – Ms. Myers moved, seconded by Mr. Pearce, to move forward as discussed in Executive Session.

**In favor:** Pearce, Rose, Malinowski, Dickerson, Livingston, Myers

**Opposed:** C. Jackson, Manning, Kennedy

The vote was in favor.

- e. Contractual Matter with the City of Columbia – Mr. Malinowski moved, seconded by Mr. Pearce, to defer action on this item until after the meeting with the City of Columbia.

Mr. Livingston made a substitute motion, seconded by Mr. Manning, to proceed with the project during the August recess, but do not do anything as it relates to the utilities.

Ms. Myers inquired if this would include all other attendant matters.

Mr. Gerald responded in the affirmative.

**In favor:** Rose, C. Jackson, Livingston, Manning, McBride

**Opposed:** Pearce, Malinowski, Dickerson, Kennedy, Myers, McBride

The substitute motion failed.

**In favor:** Pearce, C. Jackson, Malinowski, Dickerson, Kennedy, Myers, McBride

**Opposed:** Rose, Livingston, Manning

The vote was in favor of deferral.

***{This item was reconsidered at the September 12, 2017 Council meeting.}***

- f. Library Purchase – Mr. C. Jackson moved, seconded by Mr. Livingston, to approve the Library's request to parcel at 1011 Washington Street.

**In favor:** Pearce, Rose, C. Jackson, Malinowski, Dickerson, Livingston, Kennedy, Myers, Manning, McBride

The vote in favor was unanimous.

Mr. Manning moved, seconded by Mr. Pearce, to reconsider this item. The motion failed.

#### **MOTION PERIOD**

- a. To sponsor the Eclipse Event at a minimum of \$15,000 level from administration; distribution to be determined [DICKERSON and N. JACKSON] – Ms. Dickerson moved, seconded by Mr. Livingston, to sponsor the eclipse event at a minimum of \$15,000. The funding will come from the Administrator’s budget.

Mr. Malinowski stated there are no specifics regarding this item.

Ms. Dickerson inquired if Ms. Harris had distributed the information regarding the eclipse events.

Ms. Harris stated there was information included in the Administrator’s Report.

Mr. Malinowski stated it may have been in the Administrator’s Report, but there is no information included in the agenda packet and the public has no information on what we are voting on.

Ms. Harris stated there is no backup information included in the agenda.

Mr. Malinowski inquired as to how the money was going to be distributed.

Ms. Harris stated the sponsorship assists the Total Eclipse Weekend Committee to market the event to visitors who are coming to the area.

Mr. Pearce inquired as to which event Council is sponsoring. He was under the impression this was to purchase glasses.

Ms. Harris stated the sponsorship for the Total Eclipse Weekend goes to help the marketing event of the whole weekend.

Ms. Dickerson inquired if the sponsorship comes with glasses.

Ms. Harris responded in the affirmative.

Mr. Manning stated for clarification that there are 25,000 glasses.

Ms. Harris stated that was one of the sponsorship level, but not the sponsorship level that was decided upon.

Mr. Manning inquired as to what the sponsorship level included.

Ms. Harris stated a \$1,000 sponsorship will include 15,000 pairs of glasses. The sponsorship is to cover the marketing for the event.

Mr. Manning stated he is excited about the eclipse, but the eclipse is in a couple weeks and they still need funding for marketing. He further stated he does not understand why Council is sitting here and people have been marketing the eclipse. All the hotel rooms are sold out. They are talking about 600,000 visitors. Are we trying to market to get it up to 625,000?

In addition, Mr. Manning inquired if the motion could include a maximum amount.

Ms. Dickerson stated the package was sent to Council with several options. The options were that Richland County could sponsor the event. We could purchase individual tickets for \$150 to go to the State Museum or we could sponsor it and have our logo put on the glasses.

Ms. Harris stated that was incorrect. The sponsorship was to help market the event to visitors. The event at the State Museum is a separate entity. The State Museum is offering Council complimentary tickets to attend the event there.

Ms. Dickerson withdrew her motion.

**ADJOURNMENT** – The meeting was adjourned at approximately 8:43 PM.

X

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Joyce Dickerson  
Chairwoman

X

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Bill Malinowski  
Vice Chair

X

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Calvin "Chip" Jackson  
District Nine

X

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Norman Jackson  
District Eleven

X

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Gwendolyn Kennedy  
District Seven

X

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Paul Livingston  
District Four

X

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Jim Manning  
District Eight

X

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Yvonne McBride  
District Three

Special Called Meeting

July 25, 2017

X

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Dalhi Myers  
District Ten

X

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Greg Pearce  
District Six

X

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Seth Rose  
District Five

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council